

SELECTION OF EARLY NEUTRAL EVALUATOR AND ARRANGEMENTS FOR THE ENE SESSION

LCvR16.3 Supp. § 4.2 (b) Scheduling the Session and Selecting the Evaluator. At the status and scheduling conference or as soon as practical after referral and as the Court may direct, parties are given a list of evaluators with subject matter expertise to select an evaluator of their choice (who appear not to have apparent conflict with the case), schedule the evaluation session withing the time ordered by the Court and file the Selection and Order Form with the Court Clerk. The ADR Staff is available to assist with scheduling if requested by the parties. If no selection is timely made or if the parties cannot agree upon the evaluator, the ADR Staff shall make the selection and set the time and place of the session.

(c) Location of Evaluation Session. Evaluation sessions may be held in any suitable location, considering convenience and cost, agreeable to the evaluator and the parties. If there is no agreement on location, it shall be held in the courthouse.

1. A list of approved panel evaluators including their areas of expertise, as well as the necessary forms are provided at the status/scheduling conference. These ENE packets can also be obtained in the Office of the Court Clerk or on the Court's website at **www.okwd.uscourts.gov**.
 2. Counsel are to agree on a choice for an evaluator. An alternative choice may be needed should any conflict of interest arise. Additional information concerning the evaluator panel i.e. resumes, fee schedules, etc., is available in the Book of Early Neutral Evaluators available in the Clerk's Office.
 3. Counsel may discuss fees with prospective evaluators when making arrangements for the ENE session. All evaluators are to perform at least 1 pro bono evaluation per year if requested by the parties in an appropriate case or if requested or ordered by the Court. Also contact ADR staff.
 4. Selection of the evaluator and arrangements for the ENE session are to be made by counsel with the prospective evaluator. This information is set forth on the enclosed/attached Selection and Order form and filed **within 10 to 30 days of the Order of Referral to Mediation or as directed by the Court at the status scheduling conference**.
 5. The completed Selection, Arrangements and Order Appointing the Evaluator form should be filed in the Clerk's Office. All information concerning the name and address of the evaluator, the date, time and place for the session is to be included. ***Faxed signatures will be accepted.***
 6. Sessions may be re-set with the evaluator anytime before the completion date. Written extensions must be sought for arrangements beyond that time. **Any referral to evaluation pursuant to court order, may not be cancelled without permission of the Court, unless it is timely re-set, or relief from referral is sought.**
 7. You may wish to review LCvR16.3, Supp. § 4.1 et seq. Early Neutral Evaluation, and give a copy of the ADR booklet, ***RESOLVING DISPUTES IN FEDERAL COURTS*** to your clients.
 8. Counsel are to submit all relevant pleadings to the evaluator when requested by the evaluator prior to ENE session.
- **Please contact the ADR Administrator for assistance: (405)609-5078**